IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 16835 of 2002

Between:

M.Linga Reddy S/o.M.Ram Reddy, R/o.Vijayawada, Krishna District.

..... PETITIONER

AND

1 The District and Sessions Judge, Krishna at Machilipatnam.
2 The Registrar, High Court of Andhra Pradesh, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring as illegal and arbitrary the action of the respondents in not declaring petitioner's probation in the category of LDC re-designated as Junior Assistant and consequently direct the respondents to declare petitioner's probation in the said post and pass such other or further order or orders as are deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.D.V.SITARAMAMURTHY

Counsel for the Respondents : SMT.M.BHASKARA LAKSHMI (SC FOR APHC)

The Court made the following Oral Judgment: (per Sri Devinder Gupta, CJ)

In letter No. 36743/Courts-D1/2003-5, dated 24.2.2005, issued by the Government of Andhra Pradesh, LAW(LA&J-Home-Courts-D) Department, it is stated that the services of the persons appointed to the posts of Junior Assistants/Typists and Steno-Typists in Subordinate Courts prior to 2003 can be considered under new Rules, 2003 and probation and confirmation may be made by the District Judges/Unit Heads in the State as if they are appointed in terms of the new Rules.

In the circumstances, the prayer made in the writ petition has been rendered infructuous and the writ petition is disposed of as such with direction that Respondent No.1 will now proceed to declare the probation and after declaration of probation, issue confirmation order as expeditiously as possible, in any case, within a period of three months from the date of receipt of Writ order from the Court.

The writ petition is accordingly disposed of. No costs.

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DEVINDER GUPTA,CJ

DATE: 30th March, 2005

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B. SESHASAYANA REDDY,J

Pnb

To

1 The District and Sessions Judge, Krishna at Machilipatnam.
2 The Registrar, High Court of Andhra Pradesh, Hyderabad.

3 Two CD copies.